

## Message Text

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44

ACTION EA-14

INFO OCT-01 EUR-25 NEA-10 ISO-00 IO-14 DPW-01 AID-20

CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00 NSC-10

PA-04 RSC-01 PRS-01 SPC-03 SS-20 USIA-15 DRC-01 OMB-01

/164 W

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R 171108Z DEC 73

FM AMEMBASSY SAIGON

TO SECSTATE WASHDC 0058

INFO USDEL JEC PARIS

AMEMBASSY MOSCOW

AMEMBASSY LONDON

USLO PEKING

AMEMBASSY BUDAPEST

AMEMBASSY JAKARTA

AMEMBASSY TEHRAN

AMEMBASSY WARSAW

CUSSAG NKP

CINCPAC

C O N F I D E N T I A L SAIGON 21070

E.O. 11652: GDS

TAGS: MARR VS

SUBJ: GVN NOTE TO PARIS PARTICIPANTS PROTESTING ATTACK ON FPJMT  
HELICOPTERS

REF: SAIGON 20983

1. THERE FOLLOWS TEXT OF A GVN MIN OF FONAFFS (MFA)  
NOTE WHICH IS BEING SENT TODAY DEC 17 TO THE PARTIES TO THE  
ACT OF THE INTERNATIONAL CONFERENCE ON VIETNAM PROTESTING THE  
COMMUNIST ATTACK ON THE FPJMT HELICOPTERS (REFTEL).

2. BEGIN TEXT: NO 000933/BNG. THE MINISTER OF FOREIGN  
AFFAIRS OF THE REPUBLIC OF VIET-NAM PRESENTS HIS  
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COMPLIMENTS TO THE PARTIES TO THE ACT OF THE INTERNATIONAL

CONFERENCE ON VIET-NAM, SIGNED AT PARIS ON MARCH 2ND, 1973 AND HAS THE HONOR TO DRAW THE PARTICULAR ATTENTION OF THE PARTIES TO THE FOLLOWING.

3. ON SATURDAY, DECEMBER 15TH, 1973, AT 0815 HOURS, THREE HELICOPTERS OF THE FOUR-PARTY JOINT MILITARY TEAM WERE ATTACKED BY THE COMMUNIST FORCES AT EIGHT KILOMETERS NORT-WEST OF BINH-DIEN, BINH-CHANH DISTRICT, PROVINCE OF GIA-DINH. ONE HELICOPTER WAS SHOT DOWN AND SUBSEQUENTLY DESTROYED BY AK RIFLE BULLETS AND B-40 SHELLS, TWO MEMBERS OF THE TEAM, ONE VIETNAMESE AND ONE AMERICAN, WERE KILLED; SEVEN WERE WOUNDED, INCLUDING THREE VIETNAMESE AND FOUR AMERICANS.

4. THE THREE HELICOPTERS WHICH BORE VERY DISTINCTIVE COLOURS OF THE FOUR-PARTY JOINT MILITARY TEAM, WERE FLYING ON AN OFFICIAL MISSION, IN CONNECTION WITH THE TASK OF THE FOUR-PARTY JOINT MILITARY TEAM OF GETTING INFORMATION ABOUT MILITARY PERSONNEL MISSING IN ACTION, AS STIPULATED BY ARTICLE 8(B) OF THE JANUARY 27TH, 1973 PARIS AGREEMENT.

5. THE COMMUNIST SIDE WAS PREVIOUSLY INFORMED OF THE MISSION AND INVITED TO PARTICIPATE, BY A NOTE DATED DECEMBER 6TH, 1973. THEREFORE, IT CANNOT POSSIBLY ARGUE THAT IT WAS NOT AWARE OF THE MISSION OF THE DECEMBER 15TH FLIGHT.

6. THE ABOVE MENTIONED FACT SHOWS THAT THE ATTACK WAS DIRECTED AGAINST HELICOPTERS WHICH WERE KNOWN AS BELONGING TO THE FOUR-PARTY JOINT MILITARY TEAM. THEREFORE, NOT ONLY DID THE COMMUNISTS TRANSGRESS THE LAWS AND CUSTOMS OF WAR, IT WAS ALSO EVIDENT THAT THEY WILLFULLY DID SO.

7. THE ATTACK WAS OPENLY AN ACT OF WAR, CARRIED OUT AGAINST A JOINT MILITARY TEAM, IN DIRECT VIOLATION OF ARTICLE 8(B) OF THE PARIS AGREEMENT; ARTICLES 1 AND 2 OF THE PROTOCOL ON THE CEASEFIRE AND THE JOINT MILITARY COMMISSIONS; ARTICLE 3, 8(D) AND 8(E) OF THE JUNE 13TH, 1973 JOINT COMMUNIQUE.

8. THE ATTACK IS CLEARLY A CONFIRMATION OF THE COMMUNIST SIDE'S DETERMINATION TO HINDER BY ALL MEANS AVAILABLE THE INTERNATIONAL MACHINERY ESTABLISHED BY THE PARIS AGREEMENT AND ITS RELATED CONFIDENTIAL

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PROTOCOLS.

9. FINALLY, ONE CANNOT POSSIBLY OVEREMPHASIZE THE BARBAROUS NATURE OF SUCH AN ATTACK, WHICH HAS RESULTED IN MANY CASUALTIES AMONG OFFICIALS INVOLVED IN WHAT IS A BASICALLY HUMANITARIAN MISSION. THIS LATEST ACT OF HOSTILITY, COMMITTED WITH A PREMEDITATED INTENT TO HARM UNDEFENDED MEMBERS OF AN INTERNATIONAL TEAM, IN THEMIDST OF AMUTUALLY AGREED UPON CEASEFIRE, INDICATES THE COMMUNISTS'

CYNICAL CONTEMPT FOR PUBLIC OPINION AND CONSTITUTES AN  
INTOLERABLE AFFRONT TO DECENCY AND THE CONSCIENCE OF MAN.

10. ON DECEMBER 15TH, 1973, THE GOVERNMENT OF THE REPUBLIC OF  
VIET-NAM OFFICIALLY LODGED A PROTEST WITH THE INTERNATIONAL  
COMMISSION FOR CONTROL AND SUPERVISION AND ASKED FOR AN IMMEDIATE  
INVESTIGATION; IT ALSO PUBLISHED A DECLARATION EXPOSINGH POLICY  
OF VIOLEFPE ON THE COMMUNIST SIDE.

1. BY THE PRESENT NOTE, THE GOVERNMENT OF THE REPUBLIC  
OF VIET-NAM WISHES TO APPRISE THE PARTIES OF THESE DEVELOPMENTS,  
WHICH EVIDENCE THE RESORT TO OVERTMILITARY ACTION, ON AN INCREASING  
SCALE, BY THFDEMOCRATIC REPUBLIC OF VIET-NAM SIDE AND THE  
SYSTEMATIC EFFORTS OF THE COMMUNISTS TO DESTROY THE PEACE  
STRUCTURE ESTABLISHED BY THE PARIS AGREEMENT, WHICH THEY THEMSELVES  
HAVE FORMALLY SUBSCRIBED TO.

12. THE GOVERNMENT OF THE REPUBLIC OF VIET-NAM FIRMLY DENOUNCES  
THE INCESSANT MILITARY ATTACKS OF THE COMMUNIST SIDE, AND  
EARNESTLY REQUESTS THAT THE PARTIES SHOULD TAKE EFFECTIVE ACTION,  
EITHER JOINTLY OR SEPARATELY, TO PUT AN END TO THE AGGRESSIVE  
POLICIES OF THE DEMOCRATIC REPUBLIC OF VIET-NAM SIDE WHICH AS  
THE GOVERNMENT OF THE REPUBLIC OF VIET-NAM HAS SAID MANY TIMES  
BEFORE,  
REMAIN THE TRUE OBSTACLE TO THE RESTORING OF GENUINE PEACE IN  
VIET-NAM.

13. IT IS OF COURSE OBVIOUS THAT THE DEMOCRATIC REPUBLIC OF  
VIET-NAM SIDE MUST ENTIRELY BE HELD RESPONSIBLE FOR THE EXISTING  
SITUATION IN VIET-NAM. AND THAT IT WILL HAVE TO BEAR THE  
CONSEQUENCES OF ITS DELIBERATE ATTEMPT TO REVERT TO A POLICY OF  
MILITARY ACTION.

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14. THE MINISTER OF FOREIGN AFFAIRS OF THE REPUBLIC OF VIET-NAM  
AVAILS HIMSELF OF THIS OPPORTUNITY TO RENEW TO THE PARTIES TO  
THE ACT OF THE INTERNATIONAL CONFERENCE ON VIET-NAM, THE  
ASSURANCES OF HIS HIGH CONSIDERATION. DECEMBER 17THN 1973.  
END TEXT.  
BENNETT

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NNN



## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** ARMISTICE, WAR, AGREEMENTS, HELICOPTERS, COMBAT OPERATIONS, COMMUNISTS, COMBAT CASUALTIES, TRUCE OBSERVERS  
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**TAGS:** MARR, VS, FPJMT  
**To:** STATE  
**Type:** TE  
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